

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	18cr102 (DLC)
-v-	:	
	:	<u>ORDER</u>
DAVID HYLTON,	:	
	:	
Defendant.	:	
	:	
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DENISE COTE, District Judge:

WHEREAS, the Court has reviewed the forensic evaluation by JohnRobert W. Jones, Psy. D. and Gillespie Wadsworth, Psy. D., dated June 18, 2024 (the "Report"), which concludes that the defendant "has a severe mental illness which impairs his competency related skills" and that the defendant "is currently suffering from a mental disease or defect . . . which renders him not competent to stand trial";

WHEREAS, as set forth in the Report, the defendant was involuntarily medicated with an antipsychotic following an administrative hearing and appeal, pursuant to Harper v. Washington, 494 U.S. 210 (1990);

WHEREAS, as set forth in the Report, the forensic evaluation finds that there has been insufficient time to assess the effectiveness of treatment and requests that the Court grant an additional period of restoration for a reasonable amount of

time, pursuant to Title 18, United States Code, Section 4241(d)(2);

WHEREAS, based upon the Report, the Court finds that there is a substantial probability that within an additional period of six months the defendant will attain the capacity to permit the proceedings to go forward pursuant to Title 18, United States Code, Section 4241(d)(2);

IT IS HEREBY ORDERED that the defendant shall forthwith be committed to the custody of the Attorney General, or his authorized representative, who shall hospitalize the defendant for restoration, to include treatment and evaluation at a Bureau of Prisons Medical Center for an additional period of six months. The defendant shall continue to be hospitalized for treatment in such a Medical Center facility for a reasonable period of time, not to exceed six months, to determine whether the proceedings can go forward;

IT IS FURTHER ORDERED that, should the responsible examining physician find at any time that the defendant has attained the capacity to permit criminal proceedings to go forward against him, the Bureau of Prisons shall notify the Court as soon as practicable;

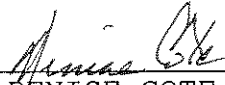
IT IS FURTHER ORDERED that by November 11, 2024, the responsible examining physician shall submit an interim report

to the Court regarding the defendant's mental and psychological condition;

IT IS FURTHER ORDERED that, as soon as practicable after the conclusion of the six-month period, the responsible examining physician shall submit a status report to the Court, as provided by Title 18, United States Code, Sections 4246(d)(2)(A), 4247(c)(1), (2), (3), and 4(a); and

IT IS FURTHER ORDERED that copies of all reports shall be provided to Assistant United States Attorneys Peter J. Davis and Juliana N. Murray, 26 Federal Plaza, New York, NY 10278; and Martin Cohen, Federal Defenders of New York Inc., 52 Duane Street, 10th Floor, New York, New York 10007.

Dated: New York, New York
July 11, 2024



DENISE COTE
United States District Judge